

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF:

Farmers Cooperative  
Association  
Varna, Illinois

NOTICE OF VIOLATION

EPA-5-00-IL-11

Proceedings Pursuant to  
Section 113(a)(1) of the  
Clean Air Act, 42 U.S.C.  
§ 7413(a)(1)

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that Farmers Cooperative Association (FCA) is violating the ~~the~~ Illinois State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On May 31, 1972, U.S. EPA approved Rule 103(a)(1) (codified as 35 IAC 201.142) as part of the federally enforceable SIP for Illinois. 37 Fed. Reg. 10862.
2. 35 IAC 201.142 provides in part that no person shall cause or allow construction of any new emission source or modification of an existing source without first obtaining a construction permit from the Illinois Environmental Protection Agency.
3. On May 31, 1972, U.S. EPA approved Rule 103(b)(1) (codified as 35 IAC 201.143) as part of the federally enforceable SIP for Illinois. 37 Fed. Reg. 10862.
4. 35 IAC 201.143 provides in part that no person shall cause or allow operation of any new emission source or new air pollution control equipment for which a construction permit is required by Rule 103(a) (35 IAC 201.142) without first obtaining an operating permit from the Illinois Environmental Protection Agency.

5. On May 31, 1972, U.S. EPA approved Rule 103(b)(2) (codified as 35 IAC 201.144) as part of the federally enforceable SIP for Illinois. 37 Fed. Reg. 10862.
6. 35 IAC 201.144 provides in part that no person shall cause or allow operation of any existing emission source or any existing air pollution control equipment without first obtaining an operating permit from the Illinois Environmental Protection Agency based on the following schedule: Grain-Handling and Conditioning Operations by March 1, 1976; Grain-Handling and Grain-Drying Operations by March 1, 1976.
7. On February 21, 1980, U.S. EPA approved Rule 203(f)(1) (codified as 35 IAC 212.301) as part of the federally enforceable SIP for Illinois. 45 Fed. Reg. 11493.
8. 35 IAC 212.301 provides that no person shall cause or allow the emission of fugitive particulate matter beyond the source's property line from any process, including any material handling or storage activity.
9. On February 21, 1980, U.S. EPA approved Rule 203(d)(9)(B) (codified as 35 IAC 212.462) as part of the federally enforceable SIP for Illinois. 45 Fed. Reg. 11493.
10. 35 IAC 212.462 provides in relevant part that existing and new grain-handling operations shall: apply induced draft to major dump pits; confine the induced draft stream and convey it through air pollution control equipment which has an overall rated and actual particulate collection efficiency of not less than 90 percent by weight; and prevent a wind velocity in excess of 50 percent of the induced draft face velocity at the pit.
11. FCA owns and operates a grain elevator at 603 Main Street, Varna, Illinois.
12. Emissions from FCA's grain elevator are subject to the air pollution requirements, permitting requirements, fugitive dust requirements, and grain handling requirements in the Illinois SIP at 35 IAC 201.142, 35 IAC 201.143, 35 IAC 201.144, 35 IAC 212.301, and 35 IAC 212.462, respectively.

Violations

13. FCA constructed the following sources at its Varna, Illinois grain elevator without first obtaining construction permits from the Illinois Environmental Protection Agency, which is a violation of 35 IAC 201.142:

<u>Source</u>	<u>Year Constructed</u>
Bin 11	1972
Bin 12	1972
Bin 13	1974
Bin 14	1974
Bin 16	1978
Bin 17	1991
Bin 18	1993
Bin 19	1995
Bin 20	1997
Bin 21	1998
Bin 22	1999
Old Dump Pit/Receiving Leg	1992(modified)
New Dump Pit/Receiving Leg	1997
6000 bph Dry Leg	1972
8000 bph Dry Leg	1998
GSI Column Drier	1998

14. FCA operated the following new sources at its Varna, Illinois grain elevator until June 6, 1995, without first obtaining operating permits from the Illinois Environmental Protection Agency, which is a violation of 35 IAC 201.143:

<u>Source</u>	<u>Year Constructed</u>
Bin 16	1978
Bin 17	1991
Bin 18	1993
Bin 19	1995
Old Dump Pit/Receiving Leg	1992(modified)

15. FCA operated the following new sources at its Varna, Illinois grain elevator until October 26, 1999, without first obtaining operating permits from the Illinois Environmental Protection Agency, which is a violation of 35 IAC 201.143:

<u>Source</u>	<u>Year Constructed</u>
Bin 20	1997
Bin 21	1998
Bin 22	1999
New Dump Pit/Receiving Leg	1997
8000 bph Dry Leg	1998
GSI Column Drier	1998


16. FCA operated the following existing sources at its Varna, Illinois grain elevator until June 6, 1995, without first obtaining operating permits from the Illinois Environmental Protection Agency, which is a violation of 35 IAC 201.144:

<u>Source</u>	<u>Year Constructed</u>
Bin 11	1972
Bin 12	1972
Bin 13	1974
Bin 14	1974
6000 bph Dry Leg	1972

17. On October 7, 1999, between 11:00 am and 12:00 pm, bees wings and fugitive dust were observed crossing the property line of FCA. Bees wings were observed floating through the air across the street from the facility and dust was observed crossing the property line by the dump pits which is in violation of 35 IAC 212.301.

18. FCA operates two major dump pits which are new sources. The dump pits are not equipped with induced draft and are not equipped with air pollution control equipment which has a rated and actual particulate collection efficiency of not less than 90 percent by weight. The major dump pits also have no means or devices to prevent a wind velocity in excess of 50 percent of the induced draft face velocity at the pit. This is in violation of 35 IAC 212.462(e).

2-2-00  
Date

  
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Bharat Mathur, Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation, No. EPA-5-00-IL-11, by Certified Mail, Return Receipt Requested, to:

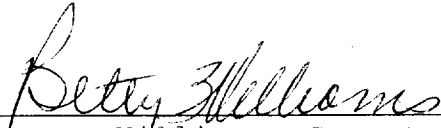
Gerald Junker, Jr., Manager  
Farmers Cooperative Association  
603 Main Street, Rear Office  
P.O. Box 109  
Varna, Illinois 61375

I also certify that I sent copies of the Notice of Violation by first class mail to:

David Kolaz, Manager  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62702

Richard Jennings, Regional Manager  
Illinois Environmental Protection Agency  
5415 North University Avenue  
Peoria, Illinois 61614

on the 2nd day of February, 2000.

  
Betty Williams, Secretary  
AECAS, (IL/IN)  
(312) 353-1129

CERTIFIED MAIL RECEIPT NUMBER: 2 199 026 378